

FILED

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

DEC - 3 2020

U. S. DISTRICT COURT  
EASTERN DISTRICT OF MO  
ST. LOUIS

UNITED STATES OF AMERICA, )  
v. )  
Plaintiff, )  
DEMARKO SMITH, )  
Defendant. )

4:20CR764 RLW/NAB

**INDICTMENT**

**COUNT ONE**

The Grand Jury charges that:

On or about November 18, 2020, in the City of St. Louis, within the Eastern District of Missouri,

**DEMARKO SMITH,**

the Defendant herein, knowing he had previously been convicted in a court of law of one or more crimes punishable by a term of imprisonment exceeding one year, knowingly possessed a firearm, and the firearm previously traveled in interstate or foreign commerce during or prior to being in Defendant's possession.

In violation of Title 18, United States Code, Section 922(g)(1).

**COUNT TWO**

The Grand Jury further charges that:

On or about November 18, 2020, in the City of St. Louis, within the Eastern District of Missouri,

**DEMARKO SMITH,**

the Defendant herein, knowingly and intentionally possessed with the intent to distribute fentanyl a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1).

**COUNT THREE**

The Grand Jury further charges that:

On or about November 18, 2020, in the City of St. Louis, within the Eastern District of Missouri,

**DEMARKO SMITH,**

the Defendant herein, did knowingly possess a firearm in furtherance of a drug trafficking crime which may be prosecuted in a court of the United States, that is, possession with the intent to distribute fentanyl, a Schedule II controlled substance, as set forth in Count Two of this Indictment.

In violation of Title 18, United States Code, Section 924(c)(1)(A).

**COUNT FOUR**

The Grand Jury further charges that:

On or about September 1, 2020, in the City of St. Louis, within the Eastern District of Missouri,

**DEMARKO SMITH,**

the Defendant herein, knowingly and intentionally distributed heroin, a Schedule II controlled substance to another person.

In violation of Title 21, United States Code, Section 841(a)(1).

**COUNT FIVE**

The Grand Jury further charges that:

On or about September 9, 2020, in the City of St. Louis, within the Eastern District of Missouri,

**DEMARKO SMITH,**

the Defendant herein, aiding, abetting, counseling, commanding, inducing or procuring another, knowingly and intentionally distributed heroin, a Schedule II controlled substance to another person.

In violation of Title 21, United States Code, Section 841(a)(1) and Title 18, United States Code, Section 2.

**COUNT SIX**

The Grand Jury further charges that:

On or about October 12, 2020, in the City of St. Louis, within the Eastern District of Missouri,

**DEMARKO SMITH,**

the Defendant herein, knowingly and intentionally distributed heroin, a Schedule II controlled substance to another person.

In violation of Title 21, United States Code, Section 841(a)(1).

**COUNT SEVEN**

The Grand Jury further charges that:

On or about October 22, 2020, in the City of St. Louis, within the Eastern District of Missouri,

**DEMARKO SMITH,**

the Defendant herein, knowingly and intentionally distributed heroin, a Schedule II controlled substance to another person.

In violation of Title 21, United States Code, Section 841(a)(1).

A TRUE BILL

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FOREPERSON

JEFFREY B. JENSEN  
United States Attorney

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DANIEL JAMES, #53370MO  
Special Assistant United States Attorney